

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

RICKEY L. JACKSON, )  
                        )  
                        )  
Plaintiff,            )  
                        )  
                        )  
v.                     )                              No. 1:07CV00034 ERW  
                        )  
                        )  
UNITED STATES OF AMERICA, )  
                        )  
                        )  
Defendant.            )

**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff's Motion for Relief from Judgment [doc. #151] under Rule 60(b)(4) of the Federal Rules of Civil Procedure. Plaintiff argues that the judgment entered in this case is void because the government took his property before he had an opportunity for a hearing.

Rule 60(b)(4) authorizes relief from void judgments. A judgment is void only if the court that rendered it lacked jurisdiction of the subject matter, e.g., United States v. Forma, 42 F.3d 759, 762 (2nd Cir. 1994), or of the parties, e.g., Printed Media Svcs., Inc. v. Solna Web, Inc., 11 F.3d 838, 843 (8th Cir. 1993), or if it acted in a manner inconsistent with due process of law, e.g., Matter of Whitney-Forbes, Inc., 770 F.2d 692, 696 (7th Cir. 1985). See 11 Wright & Miller, Fed. Prac. & Proc. Civ. § 2862 (2d ed.).

Plaintiff's arguments fall short of implicating the validity of the judgment. Plaintiff merely rehashes the arguments he brought in the complaint and at trial. Plaintiff's motion for relief from judgment does not contain any facts or arguments attacking the proceedings that led to the judgment in this case. As a result, plaintiff's motion is wholly without merit.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's Motion for Relief from Judgment [doc. #151] is **DENIED** with prejudice.

So Ordered this 15th day of December, 2010.



---

E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE